

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ROBERT YOUNG,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:19-cv-02311-TWP-MPB
	)	
DIANE E. ELROD,	)	
RACHEL M. HOUGHTON,	)	
REBECCA J. TRIVETT,	)	
CHASITY PLUMMER-LONG,	)	
	)	
Defendants.	)	

**Entry Screening Complaint and Directing Further Proceedings**

Plaintiff Robert Young, an inmate at Plainfield Correctional Facility, filed this civil action alleging that Dr. Diane E. Elrod, Nurse Rachel M. Houghton, Nurse Rebecca J. Trivett, and Director of Nursing Chasity Plummer-Long, violated his Eighth Amendment rights.

**I. Screening Standard**

Because the plaintiff is a “prisoner” as defined by 28 U.S.C. § 1915A(c), this Court has an obligation under 28 U.S.C. § 1915A(a) to screen his complaint before service on the defendants. Pursuant to 28 U.S.C. § 1915A(b), the Court must dismiss the complaint, or any portion of the complaint, if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. In determining whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017). To survive dismissal,

[the] complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when

the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.

*Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Pro se complaints such as that filed by the plaintiff are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015) (internal quotation omitted).

## **II. Claims Raised**

The Complaint alleges that Mr. Young was diagnosed with prostate cancer on March 24, 2016. On June 14, 2016, he was incarcerated at the Plainfield Correctional Facility (Plainfield). Mr. Young asserts that while at Plainfield the defendants have discontinued or changed Mr. Young's prescription medications to treat his cancer. He seeks injunctive relief and money damages.

These facts are sufficient to state a claim for money damages based on the theory that the defendant medical care providers, in their individual capacities, are liable for deliberate indifference to the plaintiff's serious medical needs in violation of the Eighth Amendment. This action shall also proceed as to the claim for injunctive relief against the defendants in their official capacities.

This includes all of the viable claims identified by the Court. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have **through September 24, 2019**, in which to identify those claims.

## **III. Service of Process**

The clerk is directed pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to defendants Dr. Diane E. Elrod, Nurse Rachel M. Houghton, Nurse Rebecca J. Trivett, and Director of Nursing Chasity Plummer-Long in the manner specified by Rule 4(d). Process shall consist of the

complaint filed on June 10, 2019, (docket 2), applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

**IT IS SO ORDERED.**

Date: 8/26/2019



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TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

ROBERT YOUNG  
264278  
PLAINFIELD - CF  
PLAINFIELD CORRECTIONAL FACILITY  
Electronic Service Participant – Court Only

Dr. Diane E. Elrod - EMPLOYEE  
Plainfield Correctional Facility  
727 Moon Road  
Plainfield, Indiana 46168

Nurse Rachel M. Houghton - EMPLOYEE  
Plainfield Correctional Facility  
727 Moon Road  
Plainfield, Indiana 46168

Nurse Rebecca J. Trivett - EMPLOYEE  
Plainfield Correctional Facility  
727 Moon Road  
Plainfield, Indiana 46168

Director of Nursing Chasity Plummer-Long- EMPLOYEE  
Plainfield Correctional Facility  
727 Moon Road  
Plainfield, Indiana 46168

Courtesy Copy to:

Douglas Bitner  
Katz Korin Cunningham PC  
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